

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA
Southern DIVISION**

In re: CRITICAL CARE MEDICAL
CONSULTANTS INC.

§ Case No. 16-11625
§
§
§

Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

Kavita Gupta, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$13,654.77</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>\$0.00</u>
Total Distributions to Claimants: <u>\$0.00</u>	Claims Discharged Without Payment: <u>\$0.00</u>
Total Expenses of Administration: <u>\$37,895.97</u>	

3) Total gross receipts of \$37,895.97 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$37,895.97 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	\$0.00	\$67,644.55	\$67,644.55	\$22,308.72
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	\$0.00	\$109,946.75	\$109,946.75	\$15,587.25
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	\$0.00	\$0.00	\$0.00	\$0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL DISBURSEMENTS	\$0.00	\$177,591.30	\$177,591.30	\$37,895.97

4) This case was originally filed under chapter 11 on 03/29/2016, and it was converted to chapter 7 on 08/10/2016. The case was pending for 20 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 03/25/2018

By: /s/ Kavita Gupta
Trustee

STATEMENT This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
Funds turn over from Chapter 11 Trustee after conversion of case	1290-010	\$18,536.27
Refund from Chapter 11 Bond	1290-000	\$100.00
Settlement Proceeds from Court-Approved Settlement with Miracle Flights (Dkt. No. 189)	1249-000	\$19,259.70
TOTAL GROSS RECEIPTS		\$37,895.97
¹ The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.		

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		

EXHIBIT 3 - SECURED CLAIMS

Claim NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
			None			

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee, Fees - Kavita Gupta	2100-000	NA	\$4,539.60	\$4,539.60	\$1,129.14
Trustee, Expenses - Kavita Gupta	2200-000	NA	\$2,121.24	\$2,121.24	\$2,121.24
Fees, United States Trustee	2950-000	NA	\$975.41	\$975.41	\$975.41
Bond Payments - International Sureties, Ltd	2300-000	NA	\$11.06	\$11.06	\$11.06
Banking and Technology Service Fee - Rabobank, N.A.	2600-000	NA	\$622.32	\$622.32	\$622.32
Attorney for Trustee Fees (Other Firm) - Brutzkus Gubner Rozansky Seror Weber LLP	3210-000	NA	\$55,806.00	\$55,806.00	\$13,880.63
Attorney for Trustee Expenses (Other Firm) - Brutzkus Gubner Rozansky Seror Weber LLP	3220-000	NA	\$2,568.92	\$2,568.92	\$2,568.92
Accountant for Trustee Fees (Other Firm) - Don Fife	3410-000	NA	\$1,000.00	\$1,000.00	\$1,000.00
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		NA	\$67,644.55	\$67,644.55	\$22,308.72

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Prior Chapter Attorney for Trustee/DIP Expenses (Other Firm) - Brutzkus Gubner Rozansky Seror Weber LLP	6220-000	NA	\$12,555.24	\$12,555.24	\$12,555.24
Prior Chapter Attorney for Trustee/DIP Fees (Other Firm) - Brutzkus Gubner Rozansky Seror Weber LLP	6210-000	NA	\$94,359.50	\$94,359.50	\$0.00
Prior Chapter Trustee Expenses - Kavita Gupta	6102-000	NA	\$3,032.01	\$3,032.01	\$3,032.01
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		\$0.00	\$109,946.75	\$109,946.75	\$15,587.25

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
None						

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
None						

Form 1

Individual Estate Property Record and Report

Asset Cases

Exhibit 8

Page: 1

Case No.: 16-11625**Trustee Name:** (007822) Kavita Gupta**Case Name:** CRITICAL CARE MEDICAL CONSULTANTS INC.**Date Filed (f) or Converted (c):** 08/10/2016 (c)**§ 341(a) Meeting Date:** 09/08/2016**For Period Ending:** 03/25/2018**Claims Bar Date:** 12/07/2016

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 Funds turn over from Chapter 11 Trustee after conversion of case (u) Funds turned over from Chapter 11 Trustee after conversion of case to Chapter 7 case	0.00	20,071.27		18,536.27	FA
2 Refund from Chapter 11 Bond (u)	0.00	0.00		100.00	FA
3 Settlement Proceeds from Court- Approved Settlement with Miracle Flights (Dkt. No. 189) (u)	0.00	25,000.00		19,259.70	FA
4 ACCOUNTS RECEIVABLE The Debtor scheduled accounts receivables related to the medical liens. The Chapter 11 Trustee entered into a court-approved settlement with Miracle Flights, the Estate's largest creditor, pursuant to which the title to the medical liens were transferred to Miracle Flights. (Dkt. No. 189). Therefore, the Estate has no interest in any accounts receivables related to the medical liens.	6,354.77	0.00		0.00	FA
5 OFFICE EQUIPMENT, FURNISHINGS, AND SUPPLIES The Trustee filed a notice of intent to abandon (Dkt. No. 232), which was approved by the Court.	500.00	0.00		0.00	FA
6 Litigation against Third Parties The Debtor scheduled a potential theft claim related to the medical liens. The Chapter 11 Trustee entered into a court-approved settlement with Miracle Flights, the Estate's largest creditor, pursuant to which the title to the medical liens were transferred to Miracle Flights. (Dkt. No. 189). Therefore, the Estate has no interest in any litigation related to the medical liens.	6,800.00	0.00		0.00	FA
6 Assets Totals (Excluding unknown values)	\$13,654.77	\$45,071.27		\$37,895.97	\$0.00

Form 1

Individual Estate Property Record and Report

Asset Cases

Exhibit 8

Page: 2

Case No.: 16-11625

Case Name: CRITICAL CARE MEDICAL CONSULTANTS INC.

For Period Ending: 03/25/2018

Trustee Name: (007822) Kavita Gupta

Date Filed (f) or Converted (c): 08/10/2016 (c)

§ 341(a) Meeting Date: 09/08/2016

Claims Bar Date: 12/07/2016

Major Activities Affecting Case Closing:

- 1) Status of retention of professionals. The Trustee obtained an order approving the employment of bankruptcy counsel (Dkt. No. 227) and the accountant. (Dkt. No. 242). The order approving the accountant's employment provided that the Trustee was authorized to pay the accountant \$1,000 without the necessity of a final fee application.
- 2) Assets that will be abandoned and why. The Trustee filed a notice of intent to abandon the Debtor's computer and server (Ref. #5) because the cost of administration would exceed any potential recovery. (Dkt. No. 232.) As stated in the Notice, the Trustee did not locate any office equipment or supplies. The Court entered an order approving the abandonment. (Dkt. No. 241.) The Trustee also filed a notice of intent to abandon and destroy or dispose of books and records, computers and related equipment. (Dkt. No. 243.) The Court entered an order approving the abandonment. (Dkt. No. 256.)
- 3) Status of liquidation efforts, pending sales, hearing or auction dates, ect. NA
- 4) Status of adversary actions and appeals. NA. The Trustee and her counsel have conducted an avoidance analysis and have determined that there are no viable avoidance actions.
- 5) Status of claim objections/claim review. Two creditors filed claims in this case: (a) the UST filed Claim No. 2-1 for unpaid Chapter 11 fees (\$975); and (b) Miracle Flights filed Claim No. 1-1 for an unpaid judgment pursuant to a court-approved settlement (\$2.9 million) (Dkt. No. 189). Pursuant to a court-approved settlement, Miracle Flights withdrew its claim. (Dkt. No. 258.) The Trustee has conducted a claim analysis and has determined that there is no bases for filing any claim objections.
- 6) Status of tax returns. The Trustee's accountant filed the tax return which includes the limited stub income for 2017. The Trustee's accountant further advised the Trustee that the Debtor is a pass-through entity and therefore, the IRS will not issue a Section 505(b) determination.
- 7) Status of settlement payments from Miracle Flights. Pursuant to a settlement agreement, the Estate received settlement payments from Miracle Flights from the liquidation of medical liens. (Dkt. No. 189). The Trustee and Miracle Flights subsequently entered into a court approved stipulation amending the settlement agreement pursuant to which Miracle Flights agreed to withdraw its claim and the Trustee agreed that Miracle Flights would no longer need to make any settlement payments after a date certain. (Dkt. No. 251.)
- 8) Carve-out for Unsecured Creditors. The Trustee and Miracle Flights for Kids ("MFFK") entered into a court approved settlement pursuant to which the Trustee agreed to carve out 40% of any funds the estate received from MFFK for the benefit of unsecured creditors other than MFFK. (Dkts. Nos. 168, 189.) Therefore, Claim No. 2-1 filed by the Office of the United States Trustee for its Chapter 11 administrative claim will be paid in full even though there are insufficient funds to pay the Chapter 7 administrative claims in full.
- 9) Court-Approved Stipulation to Alter Distribution Under Section 726. The estate is administratively insolvent. As a professional courtesy to Mr. Fife, the Chapter 7 estate's accountant, and CMA Adjustment who would otherwise not be paid in full, the Chapter 7 Trustee and Brutzkus Gubner, counsel for the Chapter 7 Trustee, entered into a court-approved stipulation pursuant to which the Chapter 7 Trustee was authorized to alter the distribution under 11 U.S.C. § 726 as follows: (1) Mr. Fife's \$1,000 fee claim in the Chapter 7 case will be paid in full; (2) the expenses of the Trustee (including the expenses incurred by CMA Adjustments) and Brutzkus Gubner in the Chapter 7 case will be paid in full; (3) the expenses of the Trustee (including the expenses incurred by CMA Adjustments) and Brutzkus Gubner in the Chapter 11 case will be paid in full; and (4) the fees of the Trustee and Brutzkus Gubner in the Chapter 7 case will be paid on a pro-rata basis from any remaining cash. (Dkt. No. 266.)

Initial Projected Date Of Final Report (TFR): 08/31/2017

Current Projected Date Of Final Report (TFR): 08/31/2017

03/25/2018

Date

/s/Kavita Gupta

Kavita Gupta

Form 2

Exhibit 9

Page: 1

Cash Receipts And Disbursements Record

Case No.: 16-11625
Case Name: CRITICAL CARE MEDICAL
CONSULTANTS INC.

Trustee Name: Kavita Gupta (007822)
Bank Name: Rabobank, N.A.
Account #: *****8500 Checking General

Taxpayer ID #: **-***8425

For Period Ending: 03/25/2018

Blanket Bond (per case limit): \$36,953,936.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
08/19/16	{1}	Kavita Gupta, Chapter 11 Trustee	Disbursement of funds on hand from Chapter 11 Trustee	1290-010	15,000.00		15,000.00
08/19/16	{1}	Kavita Gupta, Chapter 11 Trustee	Funds turned over from Chapter 11 Trustee after conversion of case	1290-010	5,071.27		20,071.27
08/19/16	{1}	Kavita Gupta, Chapter 11 Trustee	Deposit Reversal: Funds deposited in Estate's Miracle Flights Account (xxxxxx8501)	1290-010	-5,071.27		15,000.00
08/31/16		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		10.00	14,990.00
09/30/16		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		28.77	14,961.23
10/13/16		Transfer to RaboBank General Checking Account	Transfer funds from Miracle Flights Acct to General Checking	9999-000	3,536.27		18,497.50
10/31/16		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		26.16	18,471.34
11/30/16		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		28.26	18,443.08
12/18/16	{2}	Global Surety, LLC - Operating Account	Refund from Chapter 11 Bond	1290-000	100.00		18,543.08
12/21/16	101	International Sureties, Ltd.	Chapter 7 Blanket Bond Premium Payment	2300-000		5.53	18,537.55
12/30/16		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		26.49	18,511.06
01/13/17	{3}	Miracle Flights	Settlement proceeds from court-approved settlement with Miracle Flights (Dkt. No. 189)	1249-000	7,011.00		25,522.06
01/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		34.44	25,487.62
02/28/17	{3}	Miracle Flights	Settlement proceeds from court-approved settlement with Miracle Flights (Dkt. No. 189)	1249-000	8,955.37		34,442.99
02/28/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		34.21	34,408.78
03/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		51.14	34,357.64
04/11/17	{3}	Miracle Flights	Settlement proceeds from court-approved settlement with Miracle Flights (Dkt. No. 189)	1249-000	3,293.33		37,650.97
04/28/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		48.80	37,602.17
05/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		59.49	37,542.68
06/30/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		53.99	37,488.69

Page Subtotals: \$37,895.97 \$407.28

Form 2

Exhibit 9

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Cash Receipts And Disbursements Record

Case No.: 16-11625
Case Name: CRITICAL CARE MEDICAL
CONSULTANTS INC.

Trustee Name: Kavita Gupta (007822)
Bank Name: Rabobank, N.A.
Account #: *****8500 Checking General

Taxpayer ID #: **-***8425

For Period Ending: 03/25/2018

Blanket Bond (per case limit): \$36,953,936.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
07/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		52.12	37,436.57
08/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		59.23	37,377.34
09/29/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		51.96	37,325.38
10/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		57.26	37,268.12
11/30/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		53.60	37,214.52
12/01/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		-53.60	37,268.12
01/17/18	102	Brutzkus Gubner Rozansky Seror Weber LLP	Chapter 7 fees per Court Order (Dkt. No. 277)	3210-000		13,880.63	23,387.49
01/17/18	103	Brutzkus Gubner Rozansky Seror Weber LLP	Chapter 7 expenses per Court Order (Dkt. No. 277)	3220-000		2,568.92	20,818.57
01/17/18	104	Brutzkus Gubner Rozansky Seror Weber LLP	Chapter 11 Expenses per Court Order (Dkt. No. 277)	6220-000		12,555.24	8,263.33
01/17/18	105	Kavita Gupta	Chapter 11 Trustee Expenses per Court Order (Dkt. No. 277)	6102-000		3,032.01	5,231.32
02/01/18	106	International Sureties, Ltd.	Payment of blanket bond premium for 2018	2300-000		5.53	5,225.79
02/06/18	107	Donald T. Fife	Court approved fees (Dkt. No. 242)	3410-000		1,000.00	4,225.79
02/06/18	108	Kavita Gupta	Chapter 7 Trustee Expenses (Dkt. No. 282)	2200-000		2,121.24	2,104.55
02/06/18	109	Office of the United States Trustee	Payment of Claim No. 2-1 (Dkt. No. 282) Stopped on 03/07/2018	2950-000		975.41	1,129.14
02/12/18	110	Kavita Gupta	Chapter 7 Trustee fees per court order (Dkt. No. 284.)	2100-000		1,129.14	0.00
03/07/18	109	Office of the United States Trustee	Payment of Claim No. 2-1 (Dkt. No. 282) Stopped: check issued on 02/06/2018	2950-000		-975.41	975.41
03/11/18	111	Office of the United States Trustee	Case #: ***-**-1625 Payment of Claim No. 2-1 (Dkt. No. 282)	2950-000		975.41	0.00

Page Subtotals: \$0.00 \$37,488.69

Form 2

Exhibit 9

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Cash Receipts And Disbursements Record

Case No.: 16-11625
Case Name: CRITICAL CARE MEDICAL
 CONSULTANTS INC.
Taxpayer ID #: **-***8425
For Period Ending: 03/25/2018

Trustee Name: Kavita Gupta (007822)
Bank Name: Rabobank, N.A.
Account #: *****8500 Checking General
Blanket Bond (per case limit): \$36,953,936.00
Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
COLUMN TOTALS					37,895.97	37,895.97	\$0.00
Less: Bank Transfers/CDs					3,536.27	0.00	
Subtotal					<u>34,359.70</u>	<u>37,895.97</u>	
Less: Payments to Debtors						0.00	
NET Receipts / Disbursements					<u>\$34,359.70</u>	<u>\$37,895.97</u>	

Form 2

Exhibit 9
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Cash Receipts And Disbursements Record

Case No.: 16-11625
Case Name: CRITICAL CARE MEDICAL
CONSULTANTS INC.

Trustee Name: Kavita Gupta (007822)
Bank Name: Rabobank, N.A.
Account #: *****8501 Checking Miracle Flights
Blanket Bond (per case limit): \$36,953,936.00
Separate Bond (if applicable): N/A

Taxpayer ID #: **-***8425
For Period Ending: 03/25/2018

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
08/19/16		Kavita Gupta, Chapter 7 Trustee	Funds turned over by Chapter 11 Trustee after conversion of case to Chapter 7 case.		5,071.27		5,071.27
	{1}		Funds received in error \$1,535.00	1290-010			5,071.27
	{1}		Funds turned over by Chapter 11 Trustee after conversion of case to Chapter 7 case. \$3,536.27	1290-010			5,071.27
09/16/16	101 {1}	Miracle Flights	Refund of medical liens	1290-010	-1,535.00		3,536.27
10/13/16		Transfer to General Checking Account	Transfer funds from Miracle Flights Acct to General Checking	9999-000		3,536.27	0.00

COLUMN TOTALS	3,536.27	3,536.27	\$0.00
Less: Bank Transfers/CDs	0.00	3,536.27	
Subtotal	3,536.27	0.00	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$3,536.27	\$0.00	

Form 2

Exhibit 9

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Cash Receipts And Disbursements Record

Case No.: 16-11625
Case Name: CRITICAL CARE MEDICAL CONSULTANTS
 INC.
Taxpayer ID #: **_***8425
For Period Ending: 03/25/2018

Trustee Name: Kavita Gupta (007822)
Bank Name: Rabobank, N.A.
Account #: *****8501 Checking Miracle Flights
Blanket Bond (per case limit): \$36,953,936.00
Separate Bond (if applicable): N/A

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCES
*****8500 Checking General	\$34,359.70	\$37,895.97	\$0.00
*****8501 Checking Miracle Flights	\$3,536.27	\$0.00	\$0.00
	\$37,895.97	\$37,895.97	\$0.00

03/25/2018

Date

/s/Kavita Gupta

Kavita Gupta